

FISCAL NOTE

Bill #: SB0082

Title: Generally revise laws concerning disclosure of governmental information

Primary Sponsor: Steve Doherty

Status: As introduced

Sponsor signature	Date	Dave Lewis, Budget Director	Date
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Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
Expenditures:		
General Fund	\$32,907	\$0
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	(\$32,907)	0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts

Fiscal Analysis

ASSUMPTIONS:

1. The Driver's Privacy Protection Act (DPPA) enacted by Congress in August 1994 prohibited the release of information contained in an individual's motor vehicle files and imposed a civil penalty of not more than \$5,000 a day for each day of substantial noncompliance. DPPA prohibited the release and use of certain personal information from state motor vehicle records except under very specific circumstances unless the individual waived his/her right to privacy under that section of law.
2. The Montana Department of Justice (DOJ) maintains motor vehicle records under 61-3-101, MCA, and driver licensing/history records under 61-11-102, MCA. During FY 1998, the DOJ implemented steps to

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comply with the requirements of the DPPA. Prior to FY 1998 vehicle record information was available to the public upon request and payment of a fee.

3. Passage of this bill is expected to allow access to the state's motor vehicle and driver licensing records by individuals/entities prohibited due to DPPA. No data or information is available to the agency to estimate the expected increases in workload or increased cost of computer processing time due to increased volume of requests for information.
4. It will be necessary to contract for programming with an outside vendor since DOJ programming staff are committed to completing the current backlog of more than 9,000 hours of programming necessary to comply with 1997 legislative changes. One-time expenses for programming changes are projected to cost \$22,800 plus \$5,107 for increased computer processing charges generated during programming and system testing, or a total of \$27,907 during FY 2000.
(304 hours at \$75/hour = \$22,800 + \$5,107 = \$27,907)
5. In FY 1998 the state general fund received \$1,712,417 in revenues from fees charged for the distribution of motor vehicle and driver history records to authorized individuals/entities. No data or information is available to the agency to estimate any increase in general fund revenues due to the passage of this bill.
6. Section 4 of the bill would impact Gambling Control Division at a state special fund cost of \$1,500 in FY 2000 for rule making procedures/activities and publishing.
7. There is no fiscal impact to the Department of Transportation.
8. There is no fiscal impact to the Department of Public Health and Human Services.
9. There is no fiscal impact to the Secretary of State.
10. There is no fiscal impact to the Department of Commerce.
11. There is no fiscal impact to the Department of Revenue.
12. There is no fiscal impact to the Department of Administration.
13. There is minimal fiscal impact to the State Auditor's Office.

FISCAL IMPACT:

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
<u>Expenditures:</u>		
Operating Expenses	\$34,407	\$0
<u>Funding:</u>		
General Fund (01)	\$32,907	\$0
State Special Revenue (02)	<u>1,500</u>	<u> </u>
TOTAL	\$34,407	\$0
<u>Revenues:</u>	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
General Fund (01)	(\$32,907)	\$0
State Special Revenue (02)	(1,500)	